

**From:** Babyfish@aol.com@inetgw  
**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

I have, just now, personally reviewed the documents related to the settlement available from <http://www.usdoj.gov/atr/cases/ms-settle.htm> and am sufficiently concerned to comment (it's not clear how I can convey how significant that is).

I deeply concerned about the proposed settlement of the antitrust litigation between the US and Microsoft (Civil Action No. 98-1232). I must rely on the attorneys general to negotiate this in my best interest (as a consumer who's never, in my 10 years as a consumer of computing hardware, had a choice of operating system from a PC vendor) yet I'm convinced the settlement will do very little to improve competition.

In just a few minutes of perusing the proposed settlement I found the following paragraph in section VI Definitions subsection J:

"Software code described as part of, and distributed separately to update, a Microsoft Middleware Product shall not be deemed Microsoft Middleware unless identified as a new major version of that Microsoft Middleware Product. A major version shall be identified by a whole number or by a number with just a single digit to the right of the decimal point. "

Does that mean that IE5.0.0 is different from IE5.0?

"Functionality that Microsoft describes or markets as being part of a Microsoft Middleware Product (such as a service pack, upgrade, or bug fix for Internet Explorer), or that is a version of a Microsoft Middleware Product (such as Internet Explorer 5.5), shall be considered to be part of that Microsoft Middleware Product. "

The way I read that, is that anything not explicitly labeled as a MMP in the settlement is not an MMP unless Microsoft wants it to be. I suspect there are other things that Microsoft doesn't want to be labeled MMPs.

Poking around the web, I found what I feel is some very insightful and constructive commentary at <http://www.kegel.com/remedy/remedy2.html>. It offers suggestions, whereas all I've had time to do is criticize :(

Please give my thanks to those who are working the case on behalf of the consumers. I realize there must be enormous pressures.

thank you for your time,  
Jeff Warrington

